

## Coastal Conservancy Draft Proposition 68 SF Bay Climate Funds Guidelines

### Public Comments and Responses

#### 1. Children's Discovery Museum of San Jose:

- Comment #1 (p.2 Section A, first paragraph): Add “inclusive of urban natural spaces” to 4) providing recreational and education opportunities in open space and natural areas to urban populations.
- Response #1: This language identifies the goals of the San Francisco Bay Area Conservancy Program as set forth in the Conservancy’s enabling legislation at Public Resources Code section 31162. The requested language is an interpretation of the statute, rather than a description of the statute, and therefore is not appropriate to include. However, it should be noted that the Conservancy has authorized projects that would provide recreational and educational opportunities in urban natural spaces.
- Comment #2 (p.2, Section A, first bullet): Recommend adding “understand” to read “improve a community’s ability to **understand and adapt** to the unavoidable impacts of climate change.”
- Response #2: This bullet point is from the Proposition 68 bond act language and cannot be altered here. Though, we believe that understanding the impacts of climate change is first needed, for a community to be able to adapt, and that this understanding is implicitly included in this bullet point.
- Comment #3 (p.2, Section A, second bullet): Recommend adding “including San Francisco Bay and related waterways” to read “Address the needs of low-income and other underserved coastal populations, **including San Francisco Bay and related waterways**, that will be highly impacted by climate change.”
- Response #3: This bullet point is from the Proposition 68 bond act language and cannot be altered here. Though, we believe that since this grant program is only for the San Francisco Bay region, that referring to “coastal populations” is sufficient, and would not exclude populations along other waterways in addition to the San Francisco Bay itself (such as communities along rivers, streams, and creeks.)
- Comment #4 (p.3, Section B): Requesting assistance in aligning SDACs with zip codes and/or school districts, because this is how the Children’s Discovery Museum of San Jose collects and references information. The Museum has found it challenging to associate SDAC lines with geographic measures typically used in urban areas, and requests instructions in the guidelines for how to align zip codes or school districts with SDAC maps.
- Response #4: SDAC and DAC viewers that can be used to view SDAC and DAC areas for the purposes of this grant program, have the ability to enter-in an address or zip code for these purposes.
- Comment #5 (p.4, Section A, first two paragraphs): Recommend labeling each of the two paragraphs here to separate out and be clear about the distinction between “open solicitation pre-proposal processes” and “Requests for Proposals.”

- [Response #5](#): We have added clarification here, and combined the existing paragraphs to clarify, since we envision one process, and not two separate processes.
- [Comment #6 \(p.5, second box, bullet 2\)](#): Recommends addition language “including management strategies affecting San Francisco Bay and related waterways” to read “Promotes... innovative approaches or enhance understanding of effective coastal management strategies, **including management strategies affecting San Francisco Bay and related waterways.**”
- [Response #6](#): Similar to Response #1 to Comment #1, this language refers to the goals of the San Francisco Bay Area Conservancy, and the grant program is only for the San Francisco Bay region, so we believe that “San Francisco Bay and related waterways” are already implicitly included here.
- [Comment #7 \(p.6, Section D, third paragraph\)](#): Concern that this is the first time the requirement to measure greenhouse gas emissions reductions is mentioned, and there is a concern that educational programs advancing climate adaptation goals could be excluded if they are needing to take place where large-scale mitigation projects are occurring. The reasoning is that it is not sustainable to support educational programming long-term that is contingent on far-away trips. The comment instead recommends supporting educational programming in nearby natural areas. The comment asks the question if demonstrable mitigation impacts are going to be a requirement for projects which focus on educational impacts? If so, this should be stated explicitly in the guidelines.
- [Response #7](#): We do not interpret the Proposition 68 language to exclude educational opportunities in nearby natural areas, nor do we interpret the guidelines as requiring demonstrable mitigation impacts for educational projects to qualify. “Provides educational opportunities” is included as a criterion under the second, multiple benefits criterion category, and we believe the guidelines would allow funding for educational opportunities that aren’t necessarily associated with large-scale mitigation. Proposition 68 requires grant recipients to measure greenhouse gas emissions reductions and carbon sequestration, to the extent practicable. Thus, some grant recipients will be required to provide such information, depending on the project and whether providing such information is practicable.

## 2. Pacific Institute

- [Overall Comment](#): The comment asks that the Conservancy utilize the Pacific Institute’s proposed multi-benefit-measurement-framework, for measuring the multiple benefit scoring criteria category. Specifically to:
  - support the multiple benefit approach, and
  - utilize a systematic, comprehensive process for evaluating the benefits and tradeoffs of different approaches to addressing water challenges, specifically the Pacific Institute’s multi-benefit framework, and forthcoming process for evaluating and comparing different

water management strategies, from their recent report “Moving Toward a Multi-Benefit Approach for Water Management.”

- Sub-comment #1: Further, the comment notes that the multiple benefit criteria category could be broadened to acknowledge benefits not included, such as “water supply benefits, improvements to air quality, energy savings, and other positive outcomes.”
- Sub-comment #2: In addition, the comment details that within the Pacific Institute’s multi-benefit tool is a broad categorization of benefits associated with programs and projects, including impacts on water quality, water supply, flood control, energy, land and environment, people and community, and risk and uncertainty.
- Sub-comment #3: The comment notes that the Grant Guidelines do not explicitly require quantification or qualification of expected co-benefits of the project, and suggests sharing the Pacific Institute’s resources on multi-benefit quantification and qualification with applicants:  
<https://pacinst.org/multi-benefits/>
- Sub-comment #4: Lastly, the comment recommends expanding scoring criteria to allow for the acknowledgement and measurement of tradeoffs.

- Response:

- Response to Overall Comment, and Sub-comment #1: The multi-benefit criteria represent 5 of the 100 available points for proposals. Within the multi-benefit criteria, we include broad benefits such as increasing resilient, promoting demonstration projects, promoting collaboration, restoring or protecting ecosystem processes, providing educational opportunities, and developing or expanding efforts for youth engagement and new partnerships. We do not specifically include or call out “water supply benefits” or any specific benefits here, as this is meant to be a broad and inclusive grant round under which many types of projects could be equally evaluated. If we add too many specific criteria, it can become difficult to use one set of criteria for the wide range of projects proposals anticipated.
- Response to Sub-comment #2: Due to reasons mentioned above, we do not believe we can effectively utilize this tool for evaluation of our current grant solicitation round and cannot require this tool to be used by prospective grantees in submitting proposals. Though, we appreciate the recommendation for the Pacific Institute’s tool, as well as resources on multi-benefit projects, and can make these resources available for any grantees interested in the quantification and/or qualification of multiple benefits specifically.
- Response to Sub-comment #3: The Conservancy does not require quantification or qualification of multiple benefits, and normally does not require this level of specificity, in an attempt to allow for multiple types of applicants for these grant rounds, with varying levels of expertise and capacity. For example, we would want this grant program to be accessible to community-based organizations, who potentially do not have the capacity to conduct quantification and qualification of multiple benefits for grant proposals.
- Response to Sub-comment #4: We believe that the current list of criteria includes acknowledgement of tradeoffs in considering multiple benefits. We do not want to require measurement of tradeoffs, as we want to ensure this

grant program is accessible to many different types of organizations and entities with varying levels of expertise and capacity in their ability to conduct measurements of factors such as tradeoffs for grant proposals.

3. Brian Rowley

- Comment #1 (Page 1, Section I.B.): This sub-section states that the total amount allocated for the Funds is \$14 million. Is there an expected typical award amount per project? Is there a sunset clause with funding, or until exhausted?
- Response #1: There is no typical award amount per project. Award amounts are based upon a variety of factors, including the project size and the total amount requested in the grant round. Bond funds are appropriated to the Conservancy in the annual state budget. Each Request for Proposals will identify the total amount that the Conservancy may grant in that round and the deadline for use of the funds.
- Comment #2 (Page 2, Section III): In the first paragraph under this section, it is stated that the Funds must help achieve goals of the San Francisco Bay Area Conservancy Program. This program includes the nine counties that comprise the Bay Area. The question is: Are the Funds intended to be distributed relatively equally by County?
- Response #2: Equal geographic distribution by County is not required by the Proposition 68 bond act language or the Grant Guidelines. Since each County differs greatly in population and need, equal geographic distribution is not currently a priority factor in the granting of these funds.
- Comment #3 (Page 3, Section III.B.): The last paragraph of this sub-section states what is defined as "serving a severely disadvantaged community". Of the three scenarios presented, "(c)" seems to be the most appropriate ("provide direct benefit to SDAC residents, including:..."). When it comes to serving SDACs, are the three scenarios (a, b, or c) weighted equally? Again, at least as stated in the Draft Guidelines, "c" seems to be the only scenario with true intent to serve SDACs.
- Response #3: Yes, these three scenarios (a, b, and c) are considered equally in evaluating proposals. We believe that being within a SDAC, or within 1 mile of a SDAC, can also directly benefit SDACs, and thus consider these criteria equally.
- Comment #4 (Page 4, Section IV.A.): This sub-section presents an overview of the grant process. The first paragraph states that most grants will use an open solicitation process, with pre-proposals being accepted on a rolling basis. The second paragraph, however, states that the Coastal Conservancy may periodically issue Request for Proposals (RFPs). This may in fact be standard procedure for such grants, though to the layperson, having two different proposal tracts could lead to confusion. For instance, what if a County submits a rolling pre-proposal for Project A, yet there may also be an opportunity via RFP for Project B. In order to not jeopardize loss of any funding, which would be the better path? Another way of looking at it: If a RFP is announced for work within County A, yet if funding is to be distributed somewhat equally geographically, would that dissuade County A from continuing to file a rolling pre-proposal for a different project? Perhaps a remedy could be to have rolling pre-proposals for the first year (arbitrary time-frame) of this being enacted, and then via RFP until funds exhausted.

- [Response #4](#): This is not meant to explain two parallel tracks, but one track where we will release a RFP, and then after that initial Request for Proposals, we will accept proposals on a rolling basis, with no time limit. We have added clarification to this end in the Grant Guidelines to explain this process, and that there is just one track for project solicitation, and not two different tracks.
- [Comment #5 \(Pages 5-6, Section IV.C., "Criteria" Table\)](#): As part of the best available science criteria (5 points), should the use of professional ratings be included? Examples include, but not limited to: Rescape Rated Landscape, LEED, Envision, and Greenroads. If not specifically included, would additional points be added for applicants with such credentials?
- [Response #5](#): We believe credentials mentioned here could be considered in this category as applicable and appropriate to the proposed project, and alongside review of other best available science related to the proposed project.
- [Comment #6 \(Page 7, Section V.\)](#): The fifth bullet-point under this section (second bullet on page 7) states that grantees are typically required to operate, maintain, and monitor completed projects for 20 years. This timescale is appropriate for operation and maintenance, but is that reasonable for monitoring? Given the multi-benefits of any awarded project, what type of monitoring is needed? Also, are these costs (O&M and monitoring) included as part of the awarded Funds? If not, that may dissuade municipalities from pursuing (i.e. generally speaking, maintenance has been/continues to be chronically under-funded).
- [Response #6](#): The Conservancy expects grantees to operate and maintain capital projects for 20 years to ensure the state investment lasts for 20 years. The monitoring referred to in the guidelines is the monitoring needed to adequately operate and maintain a project – it is not intended to identify a monitoring requirement that is separate from operation and maintenance.
- [Comment #7 \(General\)](#): When are Final Guidelines anticipated (August 14th)?
- [Response #7](#): Final Grant Guidelines are anticipated to be adopted at the August 22, 2019 Conservancy meeting.
- [Comment #8 \(General\)](#): Once guidelines approved, when would the rolling pre-proposal period begin? If proposal accepted, when would funding be released?
- [Response #8](#): The timeline for the start of the rolling pre-proposal process is still yet to be determined, but this will be sometime after the August 22<sup>nd</sup>, 2019 Conservancy meeting, and will be announced on our website.

#### **4. California Association of Resource Conservation Districts**

- [Comment #1](#): Recommends increasing the indirect rate to at least 20% and accepting any federal or state approved indirect rates.
- [Response #1](#): We are unable to accept a federally negotiated indirect cost rate. The Conservancy guidelines, developed in consultation with the Office of State Audits and Evaluations, only allows for indirect costs of up to 15% of a grant.
- [Comment #2](#): Recommends flexible term length requirements, based on the USDA Natural Resource Conservation Science (NRCS) Conservation Practice Standards lifespan.

- [Response #2:](#) Our grant agreement terms can be flexible based upon the project and taking into account the General Obligation Bond Law.
- [Comment #3:](#) Recommends clarification of agreements that may be required to be recorded on private landowner's property titles and elimination of this stipulation for implementation of on-farm NRCS Conservation Practices.
- [Response #3:](#) In some circumstances, recordation is required by the Conservancy's enabling legislation or recommended to protect the project on private land that could be transferred to a new landowner. Given the variety of circumstances, we have decided not to include a discussion of these circumstances in the guidelines.